

 Before the <b>Federal Communications Commission</b> Washington, DC 20554 International Bureau		File # <u>SAT-PDR-20030416-00068</u> With Attached Conditions.
		Call Sign _____ Grant Date <u>June 3, 2003</u> (or other identifier) _____ Term Dates _____ Approved: <u>Thomas J. Tye</u>
<b>Received</b> In the Matter of <b>APR 18 2003</b> Telesat Canada <b>Policy Branch</b> Petition for Declaratory Ruling For <b>International Bureau</b> Inclusion of Anik E2R on the Permitted Space Station List		SAT-PDR-20030416-00068 Telesat Canada Anik E2R

### Petition for Declaratory Ruling

Telesat Canada ("Telesat") respectfully petitions the Federal Communications Commission ("FCC" or "Commission"), pursuant to 47 C.F.R. § 25.137 and the *DISCO II Reconsideration Order*,<sup>1</sup> to include Anik E2R at 111.1° W.L. on the Commission's Permitted Space Station List (the "List"). Telesat currently serves U.S. customers from this orbital location via Anik E2, a satellite included on the List that is nearing the end of its useful life.<sup>2</sup> Grant of this request will permit Telesat to continue serving U.S. customers from 111.1° W.L. pending the launch of Anik F2, a replacement satellite which the Commission placed on the List in December 2002.<sup>3</sup>

<sup>1</sup> *Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States*, First Order on Reconsideration, 15 FCC Rcd 7207 (1999) ("DISCO II Reconsideration Order").

<sup>2</sup> *Telesat Canada, Request to Eliminate Conditions on ANIK E1 and E2's Inclusion on the Permitted Space Station List*, Order, 16 FCC Rcd 15979 (2001); *Telesat Canada, Request for Declaratory Ruling or Petition for Waiver on U.S. Earth Stations' Use of ANIK E1 and ANIK E2 Satellite Capacity to Provide Basic Telecommunications Service in the United States*, Order, 15 FCC Rcd 3649 (1999) ("Anik E1 and Anik E2 Order").

<sup>3</sup> *Telesat Canada Petition for Declaratory Ruling For Inclusion of ANIK F2 on the Permitted Space Station List*, Order, DA 02-3490 (rel. Dec. 18, 2002) ("Anik F2 Order").

#### **Attachment**

- 1) ALSAT-designated earth stations are not authorized to use Anik E2R to provide any Direct-to-Home ("DTH") service, Direct Broadcast Satellite ("DBS") service, or Digital Audio Radio Service ("DARS") to, from, or within the United States.
- 2) Communications between Anik E2R and ALSAT-designated earth stations shall be in compliance with the satellite coordination agreements reached between Canada and other administrations.